

**HOUSE BUDGET & RESEARCH OFFICE**

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**HOUSE COMMUNICATIONS**

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**TOMORROW'S FORECAST**

\* The House will reconvene for its 20th Legislative Day on Wednesday, February 20, at 10:00 AM.

\* 6 bills are expected to be debated on the floor.



**GEORGIA HOUSE OF REPRESENTATIVES**

***DAILY REPORT***

**Tuesday, February 19, 2013**

**19th Legislative Day**

**TODAY ON THE FLOOR**

**MOTIONS TO AGREE**

**SB 26 - Bibb County; provide for future elections for coroner**

- BILL SUMMARY: A Bill to provide for the nonpartisan election of the coroner, the Judge of the Civil Court, the Chief Magistrate of Magistrate Court, and the Probate Judge of the Probate Court of the unified government of Macon/Bibb County.

- **Authored By:** Sen. Cecil Staton of the 18th

- **House Committee:** Intragovernmental Coordination

- *A Motion to Agree represents final passage of this bill.*

**RULES CALENDAR**

**HB 68 - Physicians; continuing education requirements licensed to practice orthotics or prosthetics; revise provisions**

- BILL SUMMARY: House Bill 68 amends the continuing education requirements for orthotics and prosthetics practice. This bill would change the requirements from 40 hours annually to an amount deemed appropriate by the board, but not more than 40 hours.

- **Authored By:** Rep. E. Culver "Rusty" Kidd of the 145th

- **House Committee:** Health & Human Services

- **Rule:** Modified-Open

- **Yeas:** 164; **Nays:** 0

**HB 182 - Juvenile court administration; hearing on the order of an associate court judge; delete provisions**

- BILL SUMMARY: The bill eliminates the 2nd hearing a juvenile may have with the elected or appointed juvenile court judge after an associate juvenile court judge has issued an order/decision.

- **Authored By:** Rep. Tom Weldon of the 3rd

- **House Committee:** Juvenile Justice

- **Rule:** Modified-Open

- **Yeas:** 166; **Nays:** 1

**HB 246 - Georgia World Congress Center Authority; benefit programs to its officers, employees, and other agents; provide**

- BILL SUMMARY: HB 246 gives the Georgia World Congress Center Authority the power to provide flexible benefits to its officers and employees. This bill is necessary due to the fact they no longer participate in state employee benefit programs.

- **Authored By:** Rep. Rich Golick of the 40th

- **House Committee:** Insurance

- **Rule:** Modified-Structured

- **Yeas:** 166; **Nays:** 1

## **LOCAL CALENDAR**

### **HB 319 - Fairburn, City of; exercise all redevelopment and other powers under the Redevelopment Powers Law; authorize**

- BILL SUMMARY: A Bill to authorize the City of Fairburn to exercise all redevelopment powers as permitted under the State Constitution and the Redevelopment Powers Law pending a local referendum to approve the authorization.
- **Authored By:** Rep. Sharon Beasley-Teague of the 65th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 149; **Nays:** 7

### **HB 321 - Fairburn, City of; millage caps on ad valorem taxation of real and personal property; remove**

- BILL SUMMARY: A Bill to remove the millage caps on ad valorem taxation of real and personal property in the City of Fairburn.
- **Authored By:** Rep. Sharon Beasley-Teague of the 65th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 149; **Nays:** 7

### **HB 334 - Euharlee, City of; provide new charter**

- BILL SUMMARY: A Bill to provide a new charter for the City of Euharlee.
- **Authored By:** Rep. Trey Kelley of the 16th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 149; **Nays:** 7

## **RECOMMITED TO COMMITTEE**

### **HB 124 - Local elections; votes cast for disapproval of Sunday alcohol sales by retailers shall not nullify prior election results; provide**

- BILL SUMMARY: House bill 124 relates to the local authorization and regulation of sales of alcoholic beverages on Sundays by upholding past electoral decisions. The legislation states that if more than one-half the votes cast on the question of Sunday package sales were against the matter, their rejection will not nullify the prior election results allowing retailers of malt beverages and wine to allow the sales of said beverages on Sundays between the hours of 12:30 P.M. and 11:30 P.M. The legislation defines a "retail package liquor store" as a retail business establishment owned by an individual, partnership, corporation, association, or other business entity primarily engaged in the retail sale of distilled spirits, malt beverages, and wine in unbroken packages, not for consumption on the premises which derives at least 75% of its total annual gross sales from a combination of these beverages.
- **Authored By:** Rep. Brett Harrell of the 106th
- **House Committee:** Regulated Industries
- **Rule:** Modified-Structured
- **Amendments(s):** N/A
- **Yeas:** N/A; **Nays:** N/A

*\* The House will reconvene Wednesday, February 20, at 10:00 AM, for its 20th Legislative Day.*

## **COMMITTEE ON RULES**

**The Committee on Rules has fixed the calendar for the 20th Legislative Day, Wednesday, February 20, and bills may be called at the pleasure of the Speaker.**

### **NEXT ON THE FLOOR**

#### **HB 122 - Sexual Offender Registration Review Board; review and utilize records of Board of Pardons and Paroles in making assessments; authorize**

- BILL SUMMARY: HB 122 allows GBI and the Board of Pardons and Paroles to share confidential supervision records of an offender with the Sexual Offender Registration Review Board.
- **Authored By:** Rep. Kevin Tanner of the 9th
- **House Committee:** Judiciary Non-Civil
- **House Committee Passed:** 2/13/2013
- **Rule:** Modified-Structured

#### **HB 160 - Mortgages; vacant and foreclosed real property registries; revise provisions**

- BILL SUMMARY: Section 1 of HB 160 provides cleanup language to the new Code section added to the Property title last year dealing with vacant real property.

Section 2 prohibits future fees on transfers except in limited circumstances such as homeowner's association dues and service fees.

- **Authored By:** Rep. Mike Jacobs of the 80th
- **House Committee:** Judiciary
- **House Committee Passed:** 2/7/2013
- **Rule:** Modified-Open

#### **HB 178 - Georgia Pain Management Clinic Act; enact**

- BILL SUMMARY: 43-34-281

This article is enacted to provide for state administrative control, supervision, and regulation of pain management clinics.

43-34-282

Defines "Board" as the Georgia Composite Medical Board.

Defines "Chronic Pain" as physical pain treated for a period of 90 days or more in a year, but shall not include perioperative pain, which means pain immediately preceding or following a surgical procedure.

Defines "Nonterminal condition" as a medical condition which is reversible, where there is a reasonable hope of recovery, and where the patient's medical prognosis is a life expectancy of two years or more.

Defines a "Pain Management Clinic" as a medical practice advertising "treatment of pain" or utilizing "pain" in the name of the clinic, or a clinic with greater than 50 percent of its annual patient population being treated for chronic pain for nonterminal conditions by the use of Schedule II or III controlled substances. This term does not include any clinic or practice owned or operated by a hospital, any ambulatory surgical center, skilled nursing facility, hospice, or home health agency.

43-34-283

(a) Requires all pain management clinics to be licensed by the board and biennially reviewed. Each location should be licensed if a physician practices in more than one location.

(b) Requires all pain management clinics to be owned by physicians licensed in the state.

(c) Allows the board to establish minimum standards of continuing education for all physicians owning a pain management clinic.

(d) Allows the board to investigate applicants.

(e) States that owners and physicians practicing in the pain management clinic will be responsible for that clinic's actions.

(f) Allows the board to deny or refuse to renew a license.

(g) Prohibits medical treatment or services unless a physician, a PA authorized to prescribe controlled substances, or an APN authorized to prescribe controlled substances is on-site.

(h) Allows the board to enter into agreements with other states or third parties to exchange information concerning the licensure of any pain management clinic.

43-34-284

Allows the board to deny, suspend, or revoke a license if the licensee or physician has furnished fraudulent information in any application, been convicted of a crime relating to any controlled substance, had federal registration to prescribe, distribute, or dispense controlled substances suspended or revoked, or violated the provisions in this article.

43-34-285

Requires the board to be notified if any of the following occur:

- (1) Permanent closing of a licensed pain management clinic.
- (2) Change of ownership, management, or location.
- (3) Change of physicians practicing.
- (4) Theft or loss of drugs or devices.
- (5) Any known conviction of any employee of a licensed pain management clinic.
- (6) Any known conviction based upon charges of fraud of any employee.
- (7) Disasters, accidents, theft, destruction, loss of records.
- (8) Any other matters the board may require by rule.

43-34-286

All pain management clinics that dispense controlled substances or dangerous drugs shall be registered with the Georgia State Board of Pharmacy.

43-34-287

- (a) Establishes that all licenses shall expire biennially unless renewed.
- (b) The board may require continuing education as a condition of license renewal.

43-34-288

Anyone who operates a pain management clinic in Georgia without a license shall be guilty of a felony.

43-34-289

Any hospital which operates an outpatient clinic with greater than 50 percent of the clinic's annual patient population being treated for chronic pain for nonterminal conditions by the use of Schedule II or III controlled substances shall notify the board annually of such clinic.

43-34-290

Law enforcement officers, medical examiners, the Georgia Drugs and Narcotics Agency, and the Georgia Bureau of Investigation Medical Examiner's Office are authorized to send pertinent records on deaths suspected of being a result of a pain management clinic to the board.

- **Authored By:** Rep. Tom Weldon of the 3rd
- **House Committee:** Health & Human Services
- **House Committee Passed:** 2/11/2013
- **Rule:** Modified-Structured

## **HB 208 - Nursing homes; annually offer influenza vaccinations to health care workers and other employees; require**

- **BILL SUMMARY:** House Bill 208 requires nursing homes to offer free flu shots to their health care workers and employees.
- **Authored By:** Rep. Ben Watson of the 166th
- **House Committee:** Health & Human Services
- **House Committee Passed:** 2/11/2013
- **Rule:** Modified-Open

**HB 209 - Pharmacists and pharmacies; revise definition of "security paper"; revise requirements**

- BILL SUMMARY: House Bill 209 adds Medicare and Medicaid approved prescription pads under the definition of "security paper."
- **Authored By:** Rep. Ben Watson of the 166th
- **House Committee:** Health & Human Services
- **House Committee Passed:** 2/11/2013
- **Rule:** Modified-Open

**HB 235 - Optometrists; revise definition of optometry; remove certain exemption**

- BILL SUMMARY: HB 235 allows optometrists to continue to prescribe schedule III-IV drugs. It specifically allows hydrocodone to continue to be prescribed regardless of federal classification; prohibits optometrists from administering pharmaceutical agents via injection; certifies that optometrists may use oral steroids for treatment where appropriate; requires that optometrists 65 years of age and older adhere to continuing education requirements.
- **Authored By:** Rep. Earl Ehrhart of the 36th
- **House Committee:** Insurance
- **House Committee Passed:** 2/13/2013
- **Rule:** Modified-Structured

*\* The Rules Committee will next meet on Wednesday, February 20, at 9:00 AM, to set the Rules Calendar for the 21st Legislative Day.*

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## **COMMITTEE ACTION REPORT**

### **Education**

**HB 70 - Special needs students; waiver of one the scholarship requirements under certain circumstances; provide**

- BILL SUMMARY: House Bill 70 is relating to the scholarship program for special needs students. This bill makes changes to annual notification options available to parents of special needs children. The State Board of Education shall be authorized to require a local board of education to expedite the development of an Individualized Education Program (IEP) and to waive the prior school year requirement as a result of a child's medically fragile condition. The Board shall review these requests on a case by case basis. This bill also states when the quarterly payments should be made by.
- **Authored By:** Rep. Rich Golick of the 40th
- **Committee Action:** Do Pass by Committee Substitute

### **Education**

**HB 244 - Elementary and secondary education; annual performance evaluations; revise certain provisions**

- BILL SUMMARY: House Bill 244 revises certain provisions relating to annual performance evaluations. It provides for the development of an evaluation system, no later than the 2014-2015 school year, for teachers, assistant principals and principals. This bill lists the evaluation measures as well as a rating system the State Board of Education shall adopt.
- **Authored By:** Rep. Randy Nix of the 69th
- **Committee Action:** Do Pass by Committee Substitute

### **Education**

**HB 283 - Education; update and revise terminology; provisions**

- BILL SUMMARY: House Bill 283 amends Title 20 of the O.C.G.A. relating to education. It implements recommendations from the Education Finance Study Commission, renames vocational to career technical and agriculture, removes obsolete No Child Left Behind language, renames commission charter schools to state charter schools, clarifies that Charter Advisory Commission is only for charter systems, implements budget savings for charter systems, cleanup to Online Clearinghouse and implements request by governor's office to set up a non-profit for Office of Student Achievement.
- **Authored By:** Rep. Brooks Coleman of the 97th
- **Committee Action:** Do Pass by Committee Substitute

## **Game, Fish, & Parks**

### **HB 274 - Game and fish; regulate practice of falconry**

- BILL SUMMARY: HB 274 (LC 40 0286S)

Code Section 27-2-17 is repealed in its entirety and replaced with a new section.

In order to trap, take, transport, or possess raptors for falconry, one must first possess a valid falconry permit, in addition to any licenses and permits otherwise required.

For non-residents, in order to possess or transport raptors in this state, a valid falconry license or permit from his or her state, or place of residence, is required, provided that the state has been certified by the United States Fish and Wildlife Service. They must also possess all licenses and permits required by this title.

A valid general or master level falconry license or permit from his or her state is required for any resident to trap, take, or attempt to trap or take a raptor from the wild in this state.

The department is responsible for providing necessary forms for falconry permits, as well as inspecting the applicant's housing facilities and equipment. The department has the right during reasonable times to enter the premises of persons subject to this Code to inspect and certify compliance with federal and state standards.

If this Code Section is satisfied, it is lawful for a falconer to take small game with raptors, so long as the individual observes all other laws regulating the taking of small game.

- **Authored By:** Rep. Jon Burns of the 159th

- **Committee Action:** Do Pass by Committee Substitute

## **Higher Education**

### **HB 70 - Special needs students; waiver of one the scholarship requirements under certain circumstances; provide**

- BILL SUMMARY: House Bill 70 is relating to the scholarship program for special needs students. This bill makes changes to annual notification options available to parents of special needs children. The State Board of Education shall be authorized to require a local board of education to expedite the development of an Individualized Education Program (IEP) and to waive the prior school year requirement as a result of a child's medically fragile condition. The Board shall review these requests on a case by case basis. This bill also states when the quarterly payments should be made by.

- **Authored By:** Rep. Rich Golick of the 40th

- **Committee Action:** Do Pass by Committee Substitute

## **Higher Education**

### **HB 184 - Nonpublic Postsecondary Educational Institutions Act of 1990; authorization to operate by means of accreditation for institutions that meet certain requirements; provide**

- BILL SUMMARY: HB 184 delineates the criteria for nonprofit nonpublic postsecondary education institutions and for profit nonpublic postsecondary education institutions to operate by means of accreditation by the Nonpublic Postsecondary Education Commission.

- **Authored By:** Rep. David Casas of the 107th

- **Committee Action:** Do Pass by Committee Substitute

## **Higher Education**

### **HB 293 - Tuition equalization grants; private colleges and universities; nursing; provisions**

- BILL SUMMARY: HB 293 amends O.C.G.A. 20-3-411(2)(B) relating to approved schools for tuition equalization grants at private colleges and universities by adding a division that states that a proprietary institution offering a course of study in nursing and is otherwise qualified pursuant to the subparagraph except for having not been in existence in Georgia for a period of at least ten years as of January 1, 2011, shall be an approved school so long as it is a wholly owned subsidiary of a corporation that operates a proprietary institution of higher education in Georgia, either directly or through a wholly owned subsidiary corporation, and is a qualified proprietary institution of higher education under this subparagraph.

- **Authored By:** Rep. Carl Rogers of the 29th

- **Committee Action:** Do Pass

## Judiciary

### **HB 242 - Juvenile proceedings; substantially revise, supersede, and modernize provisions**

- BILL SUMMARY: Overview

In 2012, Governor Nathan Deal reappointed the Special Council on Criminal Justice Reform ("Council"). He tasked them with studying the state's juvenile justice system and coming up with ways to improve public safety and decrease costs. HB 242, the Juvenile Justice Reform bill, substantially, revises, supersedes and modernizes provisions relating to juvenile proceedings and enacts comprehensive juvenile justice reforms recommended by the Council.

\* For a more detailed summary, please contact the Judiciary committee

- **Authored By:** Rep. Wendell Willard of the 51st

- **Committee Action:** Do Pass by Committee Substitute

## Public Safety & Homeland Security

### **HB 316 - Abandoned vessels; notification to Georgia Bureau of Investigation and Georgia Crime Information Center; remove requirement**

- BILL SUMMARY: This legislation would remove the requirement to notify the Georgia Bureau of Investigation and the Georgia Crime Information Center of abandoned vessels. The bill further eliminates the requirement to place information regarding abandoned vessels in the National Crime Information Center Network.

- **Authored By:** Rep. Jimmy Pruett of the 149th

- **Committee Action:** Do Pass by Committee Substitute

## Ways & Means

### **HB 266 - Internal Revenue Code; certain provisions of federal law into Georgia law; incorporate**

- BILL SUMMARY: HB 266 is the annual update bill to bring the Georgia Revenue Code in line with the Internal Revenue Code. The bill extends the Section 179 (b) (1) and (2) income tax deductions at the current levels provided for within the code.

Additionally, retirement income for airline pilots that was forced to be transferred into a Roth account in 2007 and therefore was subject to state tax will become eligible for a refund as long as an amended return is filed by Nov. 15 of this year. The bill also clarifies that the Research and Development credits established in §48-7-40.12 which were earned in tax year 2012 will apply to tax years 2012 and forward. Clarifying language to preclude on-road excise taxed fuel from is tax exempt under the GATE program was added to the bill as well requiring a good-faith standard be applied by retailers who are accepting sales tax exemption certificates.

- **Authored By:** Rep. Allen Peake of the 141st

- **Committee Action:** Do Pass by Committee Substitute

*\* Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

# **COMMITTEE MEETING SCHEDULE**

**Wednesday, February 20, 2013**

TBD	<a href="#">Floor Session (LD20)</a>	HOUSE CHAMBER (10:00am)
8:00 AM - 9:00 AM	<a href="#">AGRICULTURE &amp; CONSUMER AFFAIRS</a>	403 CAP
8:00 AM - 9:00 AM	<a href="#">INSURANCE</a>	606 CLOB
9:00 AM - 10:00 AM	<a href="#">RULES</a>	341 CAP
1:00 PM - 2:00 PM	<a href="#">ECONOMIC DEVELOPMENT &amp; TOURISM</a>	606 CLOB
1:00 PM - 2:00 PM	<a href="#">Academic Achievement Subcommittee of Education</a>	515 CLOB
1:00 PM - 2:00 PM	<a href="#">General Government Subcommittee of Governmental Affairs</a>	415 CLOB
1:30 PM - 2:30 PM	<a href="#">Sales Tax Subcommittee of Ways &amp; Means</a>	133 CAP
2:00 PM - 4:00 PM	<a href="#">HEALTH &amp; HUMAN SERVICES</a>	606 CLOB
2:00 PM - 3:00 PM	<a href="#">ENERGY, UTILITIES &amp; TELECOMMUNICATIONS</a>	406 CLOB
2:00 PM - 4:30 PM	<a href="#">Appropriation Economic Development Subcommittee</a>	341 CAP
2:00 PM - 4:00 PM	<a href="#">Resource Management Subcommittee of Natural Resources</a>	506 CLOB
2:00 PM - 3:00 PM	<a href="#">RETIREMENT</a>	515 CLOB
2:00 PM - 3:00 PM	<a href="#">BUDGET &amp; FISCAL AFFAIRS</a>	415 CLOB
2:00 PM - 4:00 PM	<a href="#">Appropriation Human Resources Subcommittee</a>	403 CAP
3:00 PM - 4:00 PM	<a href="#">Public Finance Subcommittee of Ways &amp; Means</a>	133 CAP
3:00 PM - 5:00 PM	<a href="#">REGULATED INDUSTRIES</a>	406 CLOB
4:00 PM - 5:00 PM	<a href="#">JUVENILE JUSTICE</a>	506 CLOB

*\* This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit [www.house.ga.gov](http://www.house.ga.gov) and click on [Meetings Calendar](#).*